

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ANTHONY GREEN, SR.,**

**Plaintiff,**

**VS.**

**DOUGLAS COUNTY NEBRASKA**  
and **ROBERT HOUSTON, Director of**  
**Douglas County Correctional Center,**

## Defendants.

**8:05CV573**

## ORDER

This matter is before the court on the motion of Thomas M. White to withdraw as counsel filed on behalf of himself and the other members of his law firm (Filing No. 20). On July 20, 2006, the court entered an order allowing the plaintiff until August 16, 2006, to respond to Mr. White's motion in the absence of which the plaintiff would be deemed pro se. **See** Filing No. 21. The plaintiff did not file a response. Accordingly, Mr. White's motion will be granted and the plaintiff is deemed to be proceeding pro se. The plaintiff may have new counsel enter an appearance on his behalf at any time, however at this time the case will progress without further delay. In that regard, the court will set the deadline for the plaintiff to respond to the defendant's motion for summary judgment (Filing No. 24), which was mailed to the plaintiff by counsel for the defendants on July 31, 2006. Upon consideration,

**IT IS ORDERED:**

1. The motion filed by Thomas M. White to withdraw as counsel for the plaintiff (Filing No. 20) is granted. The Clerk of Court shall stop all electronic notices to Thomas M. White, Amy Jorgensen and C. Thomas White regarding this case.
2. The plaintiff is now proceeding *pro se* and counsel for the defendants may communicate with the plaintiff directly.
3. The plaintiff, Anthony Green, Sr., shall have to **on or before September 18, 2006**, to respond to the defendant's motion for summary judgment (Filing No. 24), by filing his response with the Clerk of Court in accordance with NECivR 56.1(b). The plaintiff is

cautioned that failure to file to file a response may result in the granting of the motion for summary judgment.

4. The Clerk of Court shall reassign this case to the *pro se* docket in accordance with the United States District Court for the District of Nebraska Pro Se Procedures III(C)(1).

5. The Clerk of Court shall mail a copy of this order to the plaintiff at:

Anthony Green Sr.  
5005 Westlake Circle  
Papillion, NE 68133

6. The plaintiff, Anthony Green, Sr., shall keep the court informed of the plaintiff's current address and telephone number at all times while this case is pending. The plaintiff shall notify the court of his current telephone number as soon as possible, but in any even **no later than September 8, 2006**, in writing.

7. Litigants in this district usually serve copies of motions and other documents on adverse parties by first class mail, postage prepaid. The plaintiff shall include with each original document submitted to the court a "**Certificate of Service**" stating the date a true and correct copy of such document was mailed to each defendant or the attorney of a represented defendant. It is a violation of the rules of court to send communications to the court without serving a copy on the other parties to the case.

8. The plaintiff is advised that he is bound by the Federal Rules of Civil Procedure and by the Local Rules of this court in the prosecution of this case. The federal rules are available at any law library, and the local rules are available at the office of the Clerk of Court, and also on the court's web site at [www.ned.uscourts.gov](http://www.ned.uscourts.gov).

DATED this 17th day of August, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge